

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

KENNETH CRAIN
ADC # 147861

PETITIONER

v.

No. 5:13-cv-341-DPM

WENDY KELLEY, Director, ADC*

RESPONDENT

ORDER

Crain's motion for a certificate of appealability, No 21, is denied. Crain's *Sasser* and actual innocence arguments don't warrant Rule 60(b) relief; and this isn't a matter about which reasonable jurists would disagree. No 20; 28 U.S.C. § 2253(c)(1)-(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). If Crain wants to appeal, then he must request a certificate from the United States Court of Appeals for the Eighth Circuit. 28 U.S.C. § 2253(c).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

17 July 2018

*Wendy Kelley is the current director of the Arkansas Department of Correction. The Court directs the Clerk to amend the docket. FED. R. CIV. P. 25(d).